

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA**

Brenda Burns, o/b/o S.M.B.,

Plaintiff,

vs.

Carolyn W. Colvin, Commissioner of  
Social Security,

Defendant.

Civil Action No. 2:14-1288-RMG

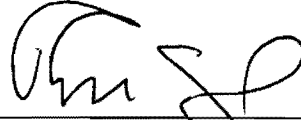
**ORDER**

This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying disability benefits to Plaintiff's teenage daughter, S.M.B. In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to the United States Magistrate Judge for pretrial handling. The Magistrate Judge issued a Report and Recommendation ("R & R") on July 13, 2015 recommending that the decision of the Commissioner be reversed and remanded to the agency because of a failure of the Administrative Law Judge to evaluate and weigh the opinions of the child's treating specialist physician, Dr. John Allen, in accord with the Treating Physician Rule, 20 C.F.R. § 404.1527(c). (Dkt. No. 27 at 4-8). The Commissioner has advised the Court that she does not intend to file objections to the R & R. (Dkt. No. 29).

The Court has reviewed the R & R and the record evidence and finds that the Magistrate Judge has ably addressed the factual and legal issues in this matter and correctly concluded that the decision of the Commissioner should be reversed. Therefore, the Court **ADOPTS** the Report

and Recommendation as the order of this Court, **REVERSES** the decision of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the matter to the Commissioner for further proceedings consistent with this order.

AND IT IS SO ORDERED.



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Richard Mark Gergel  
United States District Judge

Charleston, South Carolina  
July 31, 2015